August 28, 2012

Fred Wadlington
62 Polhemus Road
Jeffersonville, VT 05464

Re: Variance request for existing guard HEIGHT
Location: 109-111 Millet Street, Richmond, VT 05477
Site# 88872

Dear Mr. Wadlington,

I am in receipt of a variance request to allow existing guard for the stair and balcony with a height of 29.75 inches to remain in place without modification to height.

Under the provisions of the amended 2006 Vermont Fire & Building Safety Code, Section 5, a variance may be granted when the applicant can demonstrate that an equal degree of safety is being provided through a safe alternative method.

Code Requirement: A. The height of guards required in 7.1.1 shall be measured vertically to the top of the guard from the surface adjacent thereto. NFPA 101-72.2.4.5.1
B. Guards shall be not less than 42 inches high, except as permitted by one of the following:
    (1) Existing guards within dwelling units shall be permitted to be not less than 36 inches.
    (2) The requirement of 7.2.2.4.5.2 shall not apply in assembly occupancies where otherwise provided in Chapter 12 and Chapter 13.
    (3) Existing guards on existing stairs shall be permitted to be not less than 30 inches high.
        NFPA 101-7.2.2.4.5.2
C. Guards in accordance with 7.2.2.4 shall be provided at the open sides of means of egress that exceed 30 inches above the floor or grade. NFPA 101-7.1.8

The 29.75 guard height for the stairway may remain without modification. The guard height for the balcony guard with a height of 29.75 inches is **DENIED.** The balcony guard must be raised to a height of 36 inches. Considering that the guard for the balcony should be raised to a height of 42 inches per the code, I hereby **GRANT** a variance for the balcony guard to be raised to a height of 36 inches for an Existing Occupancy.

If you have any question, please contact me at 879-2302.

Respectively,
Joseph Benard, CFI; CPE
Regional Manager
Division of Fire Safety
Williston Regional Office
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